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*Counsel for Defendants*  
FORTRESS INVESTMENT GROUP LLC,  
FORTRESS CREDIT CO. LLC,  
VLSI TECHNOLOGY LLC

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

INTEL CORPORATION and APPLE INC.,

Plaintiffs,

v.

FORTRESS INVESTMENT GROUP LLC,  
FORTRESS CREDIT CO. LLC, UNILOC  
2017 LLC, UNILOC USA, INC., UNILOC  
LUXEMBOURG S.A.R.L., VLSI  
TECHNOLOGY LLC, INVT SPE LLC,  
INVENTERGY GLOBAL, INC., DSS  
TECHNOLOGY MANAGEMENT, INC., IXI  
IP, LLC, and SEVEN NETWORKS, LLC,

Defendants.

Case No. 3:19-cv-07651-EMC

**DECLARATION OF MICHAEL D.  
HARBOUR IN SUPPORT OF  
DEFENDANTS' JOINT MOTION TO  
STAY DISCOVERY PENDING A RULING  
ON DEFENDANTS' JOINT MOTION TO  
DISMISS AND STRIKE**

Hon. Edward M. Chen

Date: April 23, 2020  
Time: 1:30 p.m.  
Dept.: Courtroom 5

I, Michael D. Harbour, declare as follows:

1. I am an attorney at law, admitted to practice in the United States District Court, Northern District of California, and I am an associate with the law firm of Irell & Manella LLP, counsel for defendants Fortress Investment Group LLC, Fortress Credit Co. LLC, and VLSI Technology LLC in this matter. I have personal knowledge of each fact stated in this declaration and, if called as a witness, I could and would competently and truthfully testify thereto.

2. I submit this declaration in support of Defendants' Joint Motion to Stay Discovery Pending a Ruling on Defendants' Joint Motion to Dismiss and Strike Plaintiffs' Complaint.

3. Attached as Exhibit 1 is a true and correct copy of Defendants' Joint Motion for Temporary Stay of Discovery filed by Apple Inc. ("Apple") and Intel Corporation ("Intel") in *In re High-Tech Employee Antitrust Litig.*, No. 5:11-cv-02509-LHK (N.D. Cal. Oct. 13, 2011), Dkt. No. 80.

4. Intel and Apple have sought stays pending *inter partes* review in the following matters: *Uniloc USA, Inc. et al. v. Apple Inc.*, No. 2:16-cv-00638 (E.D. Tex.), Dkt. No. 158 at 3-9; *VLSI Technology, LLC v. Intel Corporation*, Case No. 5:17-cv-05671-BLF (N.D. Cal.), Dkt. No. 250 at 5-10; *Uniloc USA, Inc. et al. v. Apple Inc.*, No. 3:18-cv-00357-LHK (N.D. Cal.), Dkt. No. 124 at 4-10; *IXI Mobile (R&D) LTD. et al. v. Apple Inc.*, Case. No. 3:15-cv-03755-HSG (N.D. Cal.), Dkt. No. 106 at 4-9; *Uniloc USA, Inc. et al. v. Apple Inc.*, No. 2:16-cv-00638 (E.D. Tex.), Dkt. No. 158 at 9.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge.

Executed on February 4, 2020 at Los Angeles, California.

By: /s/ Michael D. Harbour  
Michael D. Harbour

**ECF ATTESTATION**

I, Olivia Lauren Weber, am the ECF user whose ID and password are being used to file  
DECLARATION OF MICHAEL D. HARBOUR IN SUPPORT OF DEFENDANTS' JOINT  
MOTION TO STAY DISCOVERY PENDING A RULING ON DEFENDANTS' JOINT  
MOTION TO DISMISS AND STRIKE. I hereby attest that I received authorization to insert the  
signatures indicated by a conformed signature (/s/) within this e-filed document.

By: /s/ Olivia Lauren Weber  
Olivia Lauren Weber